

REMARKS

Claim Status

Claims 1 and 4-11 are pending in the present application.

Claim 1 has been amended to include the following language, "each of said recessed portions has a width dimension, wherein the width dimension varies intermittently as measured along the longitudinal axis of the tampon." Support for the amendment is found on page 6 lines 24 and 25 of the specification.

Rejection Under 35 U.S.C. §102 Over Child et al. (6,283,952)

Claims 1, 4, 5 and 8-11 have been rejected under 35 U.S.C. §102(b) as being anticipated by Child et al.

With respect to novelty and claims 1, 4, 5 and 8-11: Applicant respectfully traverses the rejection as Child et al. does not disclose a tampon for feminine hygiene comprising an insertion end, a withdrawal end, a longitudinal axis, and an outer surface; said tampon being comprised of compressed fibrous material; wherein said outer surface of said tampon comprises a plurality of recessed portions; each of said recessed portions has a width dimension, wherein the width dimension varies intermittently as measured along the longitudinal axis of the tampon; each of said recessed portions comprising at the insertion end of the tampon a first width dimension x and a second width dimension y; wherein said first width dimension x is greater than said second width dimension y; and each of said recessed portions comprising at the withdrawal end of the tampon a first width dimension x¹ and a second width dimension y¹.

In the present invention, the width dimension of the recessed portions varies intermittently along the length of the tampon as illustrated in FIG. 1. As shown in FIG. 1, when the width dimension of a recessed portion varies intermittently, the width of the recessed portion can increase and decrease along the length of a tampon. In contrast, as shown in FIG's 1 and 2 of Child et al., the recessed portions of the tampon become either

Appl. No. 10/719,785
Docket No. 9432
Amdt. dated February 28, 2008
Reply to Office Action mailed on November 29, 2007
Customer No. 27752

narrower or wider along the length of the tampon, but not both in a single recessed portion.

Accordingly, the Applicant submits that claims 1, 4, 5 and 8-11 are novel over Child et al.

Rejection Under 35 U.S.C. §103 Over Child et al. (U.S. 6,283,952) in view of
Schoelling (U.S. 2002/0151859)

Claims 6 and 7 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Child et al. in view of Schoelling.

With respect to claims 6 and 7 and obviousness: Applicant respectfully traverses the rejection as Child et al. does not disclose a tampon for feminine hygiene comprising an insertion end, a withdrawal end, a longitudinal axis, and an outer surface; said tampon being comprised of compressed fibrous material; wherein said outer surface of said tampon comprises a plurality of recessed portions; each of said recessed portions has a width dimension, wherein the width dimension varies intermittently as measured along the longitudinal axis of the tampon; each of said recessed portions comprising at the insertion end of the tampon a first width dimension x and a second width dimension y; wherein said first width dimension x is greater than said second width dimension y; and each of said recessed portions comprising at the withdrawal end of the tampon a first width dimension x^1 and a second width dimension y^1 .

In the present invention, the width dimension of the recessed portions varies intermittently along the length of the tampon as illustrated in FIG. 1. As shown in FIG. 1, when the width dimension of a recessed portion varies intermittently, the width of the recessed portion can increase and decrease along the length of a tampon. In contrast, as shown in FIG's 1 and 2 of Child et al., the recessed portions of the tampon become either narrower or wider along the length of the tampon, but not both in a single recessed portion.

Appl. No. 10/719,785
Docket No. 9432
Amdt. dated February 28, 2008
Reply to Office Action mailed on November 29, 2007
Customer No. 27752

Accordingly, the Applicant submits that claims 6 and 7 are non-obvious in view of Child et al.

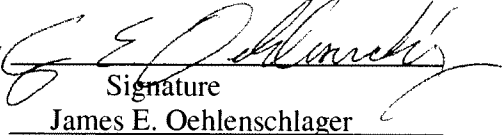
Conclusion

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied references. In view of the foregoing, entry of the amendment presented herein, reconsideration of this application, and allowance of the pending claims are respectfully requested.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By


Signature

James E. Oehlenschlager

Registration No. 50,164
(513) 634-3447

Date: 28 February 2008
Customer No. 27752